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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

IN RE KATZ INTERACTIVE CALL
PROCESSING PATENT LITIGATION

Case No. 2:07-ML-1816 RGK
(FFMx)

This pleading relates to:
Ronald A Katz Technology Licensing L P
v. TD Banknorth Inc., et al.,
CV 07-2099 RGK (FFMx);
Ronald A Katz Technology Licensing L P
v. Ahold USA Inc, et al.,
CV 07-2101 RGK (FFMx);
Ronald A Katz Technology Licensing L P
v. Time Warner Cable Inc., et al.,
CV 07-2134 RGK (FFMx);
Ronald A. Katz Technology Licensing,
LP v. Aetna, Inc., et al.,
2:07-cv-2213 RGK (FFMx);
Ronald A. Katz Technology Licensing,
LP v. American Airlines, Inc., et al.,
2:07-cv-2196 RGK (FFMx);

**NOTICE OF COLLECTIVE
MOTION AND
COLLECTIVE MOTION
FOR JUDGMENT OF
PATENT INVALIDITY AS A
MATTER OF LAW**

Date: To Be Determined
Time: To Be Determined
Place: Courtroom 850,
255 East Temple
Street, Los Angeles,
California

Ronald A Katz Technology Licensing L P
v. Citibank N.A., et al.,
CV 07-2220 RGK (FFMx);
Ronald A Katz Technology Licensing L P
v. Discover Financial Services Inc., et
al.,
CV 07-2250 RGK (FFMx);
Ronald A Katz Technology Licensing L P
v. Cox Communications, Inc., et al.,
CV 07-2299 RGK (FFMx);
Ronald A Katz Technology Licensing L P
v. The DIRECTV Group, Inc., et al.,
CV 07-2322 RGK (FFMx);
Ronald A Katz Technology Licensing L P
v. Humana Inc., et al.,
CV 07-2340 RGK (FFMx)>

The Honorable R. Gary Klausner

TO PLAINTIFF AND ITS COUNSEL OF RECORD:

NOTICE IS HEREBY GIVEN that counsel may be heard by the above-captioned Court, located at 255 East Temple Street, Los Angeles, California, defendants Ahold U.S.A., Inc., AOL, LLC, Compuserve Interactive Services, Inc., Netscape Communications Corp., Charter Communications, Inc., Charter Communications Holding Company, LLC, Charter Communications Operating, LLC, Charter Communications Entertainment I, LLC, Dillard's, Inc., Dillard Investment Co., Inc., Giant Food Stores, LLC, Giant Food LLC, Giant of Maryland LLC, Time Warner Cable Inc., Time Warner NY Cable LLC, Time Warner Entertainment Company, L.P., The Stop & Shop Supermarket Company LLC, T-Mobile USA, Inc., Humana Inc., Humana Military Healthcare Services, Inc., The Kroger Co., Kroger Texas L.P., Healthy Options Inc. d/b/a Postal Prescription Services, Cox Communications, Inc., CoxCom, Inc., The DIRECTV Group, Inc., DIRECTV, Inc., DIRECTV Enterprises, LLC, DIRECTV Holdings, LLC, DIRECTV Customer Services, Inc., and National Railroad Passenger Corporation ("Amtrak") hereby do move for summary judgment that the following claims are invalid as a matter of law:

claims 4 and 13 of the U.S. Patent No. 5,148,065; claim 63 of the U.S. Patent No. 5,974,120; claims 1 and 9 of the U.S. Patent No. 6,044,135; claims 10 and 11 of the U.S. Patent No. 4,930,150; claim 11 of the U.S. Patent No. 5,787,156; claims 1 and 7 of the U.S. Patent No. 6,434,223; claims 1,19, 61, and 71 of the U.S. Patent No. 5,351,285; claims 42, 46, and 51 of the U.S. Patent No. 5,255,309; claims 86, 106, 110, 114, and 119 of the U.S. Patent No. 6,678,360; claims 2 and 24 of the U.S. Patent No. 6,512,415; claim 18 of the U.S. Patent No. 6,292,547; claims 1, 19, 21, 33, and 34 of the U.S. Patent No. 5,815,551; claim 14 of the U.S. Patent No. 5,835,576; claim 72 of the U.S. Patent No. 6,424,703; claims 86, 116, 129, and 201 of the U.S. Patent No. 5,561,707; claims 30, 32, 45, and 67 of the U.S. Patent No. 5,898,762; claims 1, 2, 32, 42, 43, 49, 99, 182, 188, 189, 190, 191, and 192 of the U.S. Patent No. 5,684,863; claims 1, 2, 4, and 83 of the U.S. Patent No. 5,917,893; claim 7 of the U.S. Patent No. 4,792,968.

This motion is made pursuant to Rule 56 of the Federal Rules of Civil Procedure and, as necessary, pursuant to Rule 52.

This Motion is made following the April 14, 2008 Order from the Court granting Defendants' *Ex Parte* Application for Leave to File their Motion for Summary Judgment on Behalf of Multiple Defendants.

This Motion is based upon this Notice of Motion, the accompanying Memorandum in Support of Collective Motion for Judgment of Patent Invalidity as a Matter of Law, the Statement of Uncontroverted Facts and Conclusions of Law in Support thereof, the Declaration of T. Hunter Jefferson, the Declaration of Rex Stringham, the Declaration of Walter Nicholes, the Declaration of Issac Frydman, Cross-Reference of Element Labels With Claim Language, the Appendix of

Exhibits to Collective Motion for Judgment of Patent Validity as a Matter of Law,
and all pleadings and papers filed and upon such other matters as may be presented
to or considered by the Court,

Dated April 17, 2008

By: 

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